

REMARKS

This Amendment responds to the Office Action mailed September 7, 2007, in the above-identified application. For the following reasons, reconsideration and allowance of the Application are requested.

Claims 1, 2 and 4-21 were previously pending in this Application. By this Amendment, claims 1 and 2 have been amended solely to correct minor errors. Claim 21 has been canceled without prejudice or disclaimer. Accordingly, claims 1, 2 and 4-20 are currently pending, with claims 1 and 2 being independent claims. No new matter has been added.

The Examiner has rejected claims 1-2, 4-7, 12-14, 16 and 21 under 35 U.S.C. §102(b) as anticipated by Mills (Article entitled: "Internet Time Synchronization: The Network Time Protocol"). Claim 15 is rejected under 35 U.S.C. 103(a) as unpatentable over Mills in view of Micali (US 6,097,811). Claims 8-11 and 17-20 are indicated to be allowable if rewritten in independent form. The rejections are respectfully traversed.

Mills describes the Network Time Protocol (NTP), which is designed to distribute time information in a large diverse internet system (Abstract). In NTP, one or more primary servers synchronize directly to external reference sources such as time code receivers. Secondary time servers synchronize to the primary servers and others in the synchronization subnet (Section III, paragraph 3).

Applicants' claim 1 is directed to a method for determining a bound around a reference time such that the reference time is determined to have occurred between a first bound limit and a second bound limit. The method comprises, in part, transmitting a protected reference time request to a higher level computing device, wherein the higher level computing device is a level closer to a reference time source, and receiving a response from the higher level computing device, the response comprising a protected reference time source response, the reference time source response comprising the reference time and a collection of protected reference time

requests from each first level computing device that had transmitted the collection of protected reference time requests to the reference time source prior to the reference time.

The Examiner asserts that Section III B, paragraph 3 of Mills discloses receiving a response from the higher level computing device as defined by claim 1. In the cited Section, Mills states:

“While the multicast and procedure-call classes may suffice on LAN’s involving public time servers and perhaps many private workstation clients, the full generality of NTP requires distributed participation of a number of time servers arranged in a dynamically reconfigurable, hierarchically distributed configuration. This is the motivation for the symmetric modes (active and passive). By operating in these modes a server announces its willingness to synchronize or to be synchronized by a peer, depending on the peer-selection algorithm. Symmetric active mode is designed for use by servers operating near the leaves (high stratum levels) of the synchronization subnet and with preconfigured peer addresses. Symmetric passive mode is designed for use by servers operating near the root (low stratum levels) and with a relatively large number of peers on an possibly intermittent basis.”

Applicants submit that the cited passage does not disclose or even remotely suggest a reference time source response comprising the reference time and *a collection of protected reference time requests from each first level computing device that had transmitted the collection of protected reference time requests to the reference time source prior to the reference time*. This feature is described by way of example only in paragraph 0058 on page 25 of the subject application. Mills does not teach or suggest a response including a *collection* of reference time requests and does not teach or suggest *protected* reference time requests. Because Mills is lacking any teaching of the above limitation, Mills does not anticipate or make obvious the method of claim 1, and withdrawal of the rejection is respectfully requested.

Claims 4-11 depend from claim 1 and are patentable over the cited references for at least the same reasons as claim 1.

Claim 2 is directed to a computer-readable medium having computer-executable instructions for executing the method of claim 1. Claim 2 is patentable over Mills for the reasons

discussed above in connection with claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 12-20 depend from claim 2 and are patentable over the cited references for at least the same reasons as claim 2.

Based upon the above discussion, claims 1, 2 and 4-20 are in condition for allowance.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: December 5, 2007

Respectfully submitted,

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